

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SARAH RICHARDSON,

Plaintiff,

-against-

NICK VOGELSON, et al.,

Defendants.

USDC SDNY
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DATE FILED: 5/29/2024

23-CV-09940 (CM) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

The Court has received and reviewed the parties' confidential settlement letters, submitted in advance of the settlement conference scheduled for June 3, 2024. Both sides state in their letters that defendant has made at least two different concrete settlement offers, but that plaintiff has refused to counter either one with a demand of her own, believing the offers to be insufficiently serious.

The parties are reminded that ¶ 2 of my Settlement Conference Scheduling order (Dkt. 32) requires that the parties conduct at least one good-faith settlement discussion, in person or by telephone, and that each party "convey to each opposing party at least one good-faith settlement demand or offer." If plaintiff believes the current offer is too low, it is her responsibility to counter with what she believes, in good faith, to be a reasonable demand.

Consequently, it is hereby ORDERED that the parties promptly conduct the required settlement discussion, during which plaintiff shall convey the required demand. The discussion may take place through counsel but must be conducted in good faith and in real time (*e.g.*, in person or by telephone). Thereafter, but no later than **Friday, May 31, 2024, at 5:00 p.m.**, the parties must submit a *joint* supplemental settlement letter to chambers (by email, addressed to Moses_NYSDChambers@nysd.uscourts.gov), confirming that they complied with this Order, providing the date and time of the discussion, and describing the terms of each party's most recent demand or offer.

Dated: New York, New York
May 29, 2024

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge